



General Assembly

January Session, 2015

Amendment

LCO No. 6411



Offered by:

REP. MINER, 66th Dist.

REP. PISCOPO, 76th Dist.

To: House Bill No. 6483

File No. 462

Cal. No. 291

"AN ACT ESTABLISHING A TASK FORCE TO STUDY GROUP HOME DISTRIBUTION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 8-3e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) No zoning regulation shall treat the following in a manner
6 different from any single family residence: [(1)] Any community
7 residence that houses six or fewer persons with intellectual disability
8 and necessary staff persons and that is licensed under the provisions of
9 section 17a-227. [, (2) any child-care residential facility that houses six
10 or fewer children with mental or physical disabilities and necessary
11 staff persons and that is licensed under sections 17a-145 to 17a-151,
12 inclusive, (3) any community residence that houses six or fewer
13 persons receiving mental health or addiction services and necessary

14 staff persons paid for or provided by the Department of Mental Health
15 and Addiction Services and that has been issued a license by the
16 Department of Public Health under the provisions of section 19a-491, if
17 a license is required, or (4) any hospice facility, including a hospice
18 residence, that provides inpatient hospice care and services to six or
19 fewer persons and is licensed to provide such services by the
20 Department of Public Health, provided such facility is (A) managed by
21 an organization that is tax exempt under Section 501(c)(3) of the
22 Internal Revenue Code of 1986, or any subsequent corresponding
23 internal revenue code of the United States, as from time to time
24 amended; (B) located in a city with a population of more than one
25 hundred thousand and within a zone that allows development on one
26 or more acres; and (C) served by public sewer and water.]

27 (b) Any resident of a municipality in which [such a community
28 residence or child-care residential facility] (1) any community
29 residence that houses six or fewer persons with intellectual disability
30 and necessary staff persons and that is licensed under the provisions of
31 section 17a-227, (2) any child-care residential facility that houses six or
32 fewer children with mental or physical disabilities and necessary staff
33 persons and that is licensed under sections 17a-145 to 17a-151,
34 inclusive, or (3) any community residence that houses six or fewer
35 persons receiving mental health or addiction services and necessary
36 staff persons paid for or provided by the Department of Mental Health
37 and Addiction Services and that has been issued a license by the
38 Department of Public Health under the provisions of section 19a-491, if
39 a license is required, is located may, with the approval of the
40 legislative body of such municipality, petition [(1)] (i) the
41 Commissioner of Developmental Services to revoke the license of such
42 community residence on the grounds that such community residence
43 is not in compliance with the provisions of any statute or regulation
44 concerning the operation of such residences, [(2)] (ii) the
45 Commissioner of Children and Families to revoke the license of such
46 child-care residential facility on the grounds that such child-care
47 residential facility is not in compliance with the provision of any

48 general statute or regulation concerning the operation of such child-
49 care residential facility, or [(3)] (iii) the Commissioner of Mental Health
50 and Addiction Services to withdraw funding from such community
51 residence on the grounds that such community residence is not in
52 compliance with the provisions of any general statute or regulation
53 adopted thereunder concerning the operation of a community
54 residence.

55 Sec. 502. Section 8-3f of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective October 1, 2015*):

57 [No community residence or child-care residential facility
58 established pursuant to section 8-3e] None of the following residences
59 or facilities shall be established within one thousand feet of any other
60 such [community residence or child-care residential] residence or
61 facility without the approval of the body exercising zoning powers
62 within the municipality in which such residence or facility is proposed
63 to be established: (1) Any community residence that houses six or
64 fewer persons with intellectual disability and necessary staff persons
65 and that is licensed under the provisions of section 17a-227, (2) any
66 child-care residential facility that houses six or fewer children with
67 mental or physical disabilities and necessary staff persons and that is
68 licensed under sections 17a-145 to 17a-151, inclusive, (3) any
69 community residence that houses six or fewer persons receiving
70 mental health or addiction services and necessary staff persons paid
71 for or provided by the Department of Mental Health and Addiction
72 Services and that has been issued a license by the Department of Public
73 Health under the provisions of section 19a-491 if a license is required,
74 or (4) any hospice facility, including a hospice residence, that provides
75 inpatient hospice care and services to six or fewer persons and is
76 licensed to provide such services by the Department of Public Health,
77 provided such facility is (A) managed by an organization that is tax
78 exempt under Section 501(c)(3) of the Internal Revenue Code of 1986,
79 or any subsequent corresponding internal revenue code of the United
80 States, as amended from time to time; (B) located in a city with a

- 81 population of more than one hundred thousand and within a zone that
82 allows development on one or more acres; and (C) served by public
83 sewer and water.

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>October 1, 2015</i>	8-3e
Sec. 502	<i>October 1, 2015</i>	8-3f